



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/692,464

10/23/2003

Imran H. Qidwai

NMS03-20

7252

58406

7590

02/25/2008

BARRY W. CHAPIN, ESQ.

CHAPIN INTELLECTUAL PROPERTY LAW, LLC

WESTBOROUGH OFFICE PARK

1700 WEST PARK DRIVE

WESTBOROUGH, MA 01581

EXAMINER

POLLACK, MELVIN H

ART UNIT

PAPER NUMBER

2145

MAIL DATE

DELIVERY MODE

02/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/692,464

Applicant(s)

QIDWAI ET AL.

Examiner

MELVIN H. POLLACK

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 and 40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 and 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☒ Other: see attached office action

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 14 February 2008 have been fully considered but they are not persuasive. An analysis of the arguments is provided below.
2. Applicant complains that the rejection is not fully mapped. Such a rejection is not required. For the purposes of assisting the applicant only, the examiner has mapped the claims here so that the applicant may see the rejection in terms of the claims.
3. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.
4. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.
5. Therefore, the arguments are maintained for the reasons above. This rejection is final.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-38 and 40 are rejected under 35 U.S.C. 102(c) as being anticipated by Araujo et al. (6,920,502).
8. For claim 1, Araujo teaches a method (abstract) of controlling an application (col. 1, line 1 – col. 13, line 5; col. 47, lines 60-67) comprising:
- a. receiving, from a device, a first message (col. 13, line 5 – col. 15, line 45) via a non-session based messaging protocol (col. 15, lines 45-60; col. 18, lines 40-65);
 - b. maintaining a session context that maps messages transferred from the device (col. 17, lines 5-10 and lines 55-67) using the non-session based protocol to a session-based application controlled using a session-based protocol (col. 15, lines 45-60; col. 18, lines 40-65);
 - c. mapping the first message (col. 17, lines 5-10 and lines 55-67) from the device using the non-session based messaging protocol to the session-based protocol using the maintained session context to allow the device to control the session-based application (col. 15, lines 45-60; col. 18, lines 40-65); and
 - d. mapping a second message received from the application (col. 17, lines 5-10 and lines 55-67) using the session-based protocol from the session-based application to the non-session based protocol using the maintained session context (col. 15, lines 45-60; col. 18, lines 40-65) to return at least a portion of the second message to the device (col. 33, lines 30-40).
9. For claim 2, Araujo teaches that the first message corresponds to the session-based application and is indicative of a request to invoke the session-based application (col. 19, lines 40-60).

10. For claim 3, Araujo teaches employing the maintained session context for successive messages between the device and the application (col. 23, lines 35-65).

11. For claim 4, Araujo teaches identifying the session context between the session-based application and the device (col. 20, lines 35-45; col. 22, lines 20-50), the session context operative to enable a stateful exchange between the session-based application and the device (col. 22, line 50 – col. 23, line 5).

12. For claim 5, Araujo teaches that mapping the first message further comprises routing, based on the identified session context, at least a portion of the message to the application (col. 17, line 18 – col. 19, line 27), the routing operative to receive and direct user input destined for the application (col. 19, lines 40-60).

13. For claim 6, Araujo teaches processing a script corresponding to the identified session context to receive and direct a portion of the message to the application (col. 36, line 10 – col. 40, line 65).

14. For claim 7, Araujo teaches that routing is operative to preserve the session context by maintaining the sequence of messages between the device and the application (col. 23, lines 35-65).

15. For claim 8, Araujo teaches that the session context is maintained (col. 22, line 50 – col. 23, line 5) based on an identity of the device (col. 20, lines 35-45; col. 22, lines 20-50) and an identity of the application (col. 33, lines 30-40).

16. For claim 9, Araujo teaches a method for providing context specific application support (col. 12, line 1 – col. 13, line 5; col. 47, lines 60-67) for an interactive user device in an information transport infrastructure (col. 1, line 1 – col. 11, line 67) comprising:

- a. receiving a message from a user via a user device (col. 13, line 5 – col. 15, line 45), the message corresponding to an application (col. 33, lines 30-40);
 - b. identifying a session context between the application and the user device (col. 15, lines 45-60; col. 18, lines 40-65), the session context based on an identity of the user device (col. 19, lines 40-60; col. 20, lines 35-45; col. 22, lines 20-50) and an identity of the application (col. 33, lines 30-40);
 - c. processing the message by the corresponding application according to the identified session context (col. 23, lines 35-65); and
 - d. mapping successive messages between the user device and the application (col. 15, lines 45-60; col. 18, lines 40-65) by indexing the user device identity and application identity (col. 17, lines 5-67) to preserve the session context by maintaining the order of messages between the user device and the application (col. 23, lines 35-65; col. 29, lines 5-45; col. 30, lines 20-25).
17. For claim 10, Araujo teaches that the method further comprising:
- a. establishing the session context via the received message, the received message indicative of the application to establish the session context between a text messaging user device and the application (col. 22, line 50 – col. 23, line 5); and
 - b. invoking the application, the application responsive to the session context and operative to send and receive messages corresponding to the established session context (col. 23, lines 35-65).
18. For claim 11, Araujo teaches that establishing the session context further comprises:

- a. receiving a unique preexisting identifier corresponding to the application (col. 20, lines 35-45; col. 22, lines 20-50);
 - b. creating a session context entry in a session table based on the identity of the user device and the unique preexisting identifier (col. 22, line 50 – col. 23, line 5); and
 - c. referencing, via the unique preexisting identifier, the corresponding application (col. 33, lines 30-40).
19. For claim 12, Araujo teaches mapping the successive messages includes mapping successive messages from the device to the same application by indexing the identity of the user device and the unique preexisting identifier of the application into a session table having session context entries of wireless telephone numbers and application short codes (col. 17, lines 5-10 and 55-67).
20. For claim 13, Araujo teaches mapping the successive messages further comprises processing a script corresponding to the identified session context to receive and direct the message to the application (col. 36, line 10 – col. 40, line 65).
21. For claim 14, Araujo teaches that mapping the successive messages further comprises emulating a connection ID in the interactive voice response infrastructure by associating the session context with an emulated port ID via the session table (col. 6, line 1 – col. 7, line 20).
22. For claim 15, Araujo teaches wherein the session context is operable to maintain state information by referencing and maintaining a connection of the application in a stateful interactive voice response infrastructure to the user device by maintaining the order and sequence of messages sent between the application and the user device (Figs. 6 and 9).
23. For claim 16, Araujo teaches establishing the session context further comprises:

- a. receiving a short code corresponding to the application (col. 33, lines 30-40);
 - b. creating a session context entry in a session table based on the identity of the user device and the short code (col. 22, line 50 – col. 23, line 5); and
 - c. referencing, via the short code, a script operative to invoke the application (col. 36, line 10 – col. 40, line 65).
24. For claim 17, Araujo teaches that the message is a text message including the short code for invoking the application, the short code being a unique preexisting identifier within the infrastructure operative to reference and invoke a particular application for an interactive text messaging user (Fig. 4).
25. For claim 18, Araujo teaches that the unique preexisting identifier in the message further comprises the short code and application specific data, the application specific data encapsulated in an application specific data field following a short code field (col. 33, lines 30-40).
26. For claim 19, Araujo teaches that mapping the successive messages includes mapping successive messages from the user device to the same application by indexing the identity of the device and the unique preexisting identifier of the application into a session table having session context entries of protocol specific identifiers (col. 22, line 50 – col. 23, line 5).
27. For claim 20, Araujo teaches that the protocol specific identifiers are further operative to identify a user and are specified according to an instant messaging protocol and further include at least one of user ID, buddy ID, screen name, AIM ID and nickname (col. 20, lines 35-45; col. 22, lines 20-50).
28. For claim 21, Araujo teaches mapping the successive messages includes mapping successive messages from the device to the same application by indexing the identity of the

device and the unique preexisting identifier of the application into a session table having session context entries (col. 22, line 50 – col. 23, line 5) including at least one fuser email addresses, email addresses indicative of applications and application short codes (col. 20, lines 35-45; col. 22, lines 20-50).

29. For claim 22, Araujo teaches referencing a session ID operable to index a particular session context entry including the email address of the user device and indicative of the session context, the session ID computed in response to a message to the application and operable to identify the corresponding return message from the application (col. 22, line 50 – col. 23, line 5).

30. For claim 23, Araujo teaches referencing a session ID operable to index a particular session context entry including at least one protocol specific identifier of the user device and indicative of the session context, the session ID computed in response to a message to the application and operable to identify the corresponding return message from the application (col. 23, lines 35-65).

31. For claim 24, Araujo teaches referencing a session ID operable to index a particular session context entry indicative of the session context, the session ID computed in response to a message to the application and operable to identify the corresponding return message from the application (col. 29, lines 5-45; col. 30, lines 20-25).

32. For claim 25, Araujo teaches that the information transport infrastructure is an interactive voice response infrastructure and establishing further comprises adapting speech responsive components for text message operability (Fig. 4).

33. For claim 26, Araujo teaches that the mapping between the application and the user device occurs via a text to speech interconnection component and an automatic speech

recognition interconnection component, the interconnection components operable to integrate text message data to interfaces in the preexisting information transport infrastructure (Fig. 14).

34. For claim 27, Araujo teaches that the session context terminates after expiration of a reasonable predetermined timeout by the session manager (col. 29, lines 5-45; col. 30, lines 20-25).

35. For claim 28, Araujo teaches a method (abstract) for providing context specific application support (col. 1, line 1 – col. 11, line 67) for an interactive text messaging user on an interactive voice response infrastructure (col. 12, line 1 – col. 13, line 5; col. 47, lines 60-67) comprising:

- a. receiving an informational item from a user via a user device (col. 13, line 5 – col. 15, line 45), the informational item corresponding to a particular application (col. 33, lines 30-40);
- b. identifying, via a session manager, a session context between the application and the user (col. 15, lines 45-60; col. 18, lines 40-65), the session context based on the identity of the user device (col. 19, lines 40-60; col. 20, lines 35-45; col. 22, lines 20-50) and the identity of the application (col. 33, lines 30-40);
- c. processing, via a script processor, a script corresponding to the identified session context, the script processor operative to receive and direct user input destined for the application (col. 36, line 10 – col. 40, line 65); and
- d. mapping, via the session manager, successive communications between the user device and the application by indexing the user device identity and application identity (col. 17, lines 5-10 and 55-67; col. 22, line 50 – col. 23, line 5) to preserve the session

context by maintaining the order and sequence of informational items between the user and the application (col. 23, lines 35-65).

36. For claim 29, Araujo teaches a telecommunications device (abstract) for remotely controlling an application from a user device (col. 1, line 1 – col. 13, line 5; col. 47, lines 60-67) comprising:

- a. a message server (Figs. 1-4) operative to receive a first message from a device via a non-session based messaging protocol (col. 13, line 5 – col. 15, line 45);
- b. a session table operative for storing and maintaining a session context entry (col. 22, line 50 – col. 23, line 5) that enables mapping of messages transferred from the device (col. 17, lines 5-10 and 55-67) using the non-session based protocol to a session-based application controlled using a session-based protocol (col. 15, lines 45-60; col. 18, lines 40-65);
- c. a session manager having the session table, the session table responsive to the session manager for mapping the first message from the device, using the non-session based messaging protocol, to the session-based protocol using the stored session context (col. 17, lines 5-10 and 55-67), to allow the device to control the session-based application (col. 33, lines 30-40), the session manager further operable to map a second message, received from the application, using the session-based protocol, from the session-based application to the non-session based protocol using the maintained session context, to return at least a portion of the second message to the device (col. 17, lines 5-10 and 55-67).

37. For claim 30, Araujo teaches that the first message corresponds to the session-based application and is indicative of a request to invoke the session-based application (col. 19, lines 40-60).

38. For claim 31, Araujo teaches that the session manager is further operable to employ the maintained session context in the session table for successive messages between the device and the application (col. 22, line 50 – col. 23, line 5).

39. For claim 32, Araujo teaches that the session context table is operable to identify the session context between the session-based application and the device, the session context operative to enable a stateful exchange between the session-based application and the device (Figs. 6 and 9).

40. For claim 33, Araujo teaches that the session manager is operative to map the first message by routing, based on the identified session context, at least a portion of the message to the application, the routing operative to receive and direct user input destined for the application (col. 17, line 18 – col. 19, line 27).

41. For claim 34, Araujo teaches that the session manager is operative to invoke an application dispatch process, the application dispatch process operable for processing an executable entity corresponding to the identified session context to receive and direct a portion of the message to the application (Fig. 4).

42. For claim 35, Araujo teaches that the session manager is operative to preserve the session context by maintaining the sequence of messages between the device and the application (col. 29, lines 5-45).

43. For claim 36, Araujo teaches that the session manager is operative to maintain the session context based on an identity of the device (col. 20, lines 35-45) and an identity of the application (col. 33, lines 30-40).

44. For claim 37, Araujo teaches a method (abstract) for invoking and using a speech based application on an existing speech processing infrastructure using a text messaging enabled device (col. 1, line 1 – col. 13, line 5; col. 47, lines 60-67) comprising:

- a. defining a set of short codes indicative of local applications (col. 22, line 50 – col. 23, line 5);
- b. intercepting a short code at an interactive message manager corresponding to a particular local application (col. 13, line 5 – col. 15, line 45);
- c. establishing a session context between the user device issuing the short code and the corresponding application (col. 15, lines 45-60; col. 18, lines 40-65);
- d. transmitting, within the established session context, an informational item indicative of the invocation of the particular local application to the speech interpreter (Fig. 14);
- e. receiving the invocation request at a scripting component, the scripting component operable to map incoming calls to the local applications via application specific scripts while maintaining the session context (col. 36, line 10 – col. 40, line 65);
and
- f. mapping the invocation request to the corresponding application (col. 17, lines 5-10 and 55-67);

- g. receiving a response from the particular local application triggered by the invocation (col. 13, line 5 – col. 15, line 45);
 - h. mapping the response back to the invoking user device via a session table operative to maintain context between the user device and the particular application (col. 15, lines 45-60; col. 18, lines 40-65);
 - i. receiving further informational items from the user device to the same invoked application (col. 29, lines 5-45); and
 - j. maintaining the context by mapping successive informational items between the user device and the particular application via the session table (col. 22, line 50 – col. 23, line 5).
45. For claim 38, Araujo teaches a computer program product having a computer readable medium operable to store computer program logic embodied in computer program code encoded thereon (abstract) for providing context specific application support for an interactive user device in an information transport infrastructure (col. 1, line 1 – col. 13, line 5; col. 47, lines 60-67) comprising:
- a. computer program code for receiving a message from a user via a user device, the message corresponding to an application (col. 13, line 5 – col. 15, line 45);
 - b. computer program code for identifying a session context between the application and the user device (col. 22, line 50 – col. 23, line 5), the session context based on an identity of the user device (col. 20, lines 35-45; col. 22, lines 20-50) and an identity of the application (col. 33, lines 30-40);

- c. computer program code for processing the message by the corresponding application according to the identified session context (col. 23, lines 35-65); and
 - d. computer program code for mapping successive messages between the user device and the application by indexing the user device identity and application identity to preserve the session context by maintaining the order of messages between the user device and the application (col. 23, lines 35-65).
46. For claim 40, Araujo teaches a telecommunications device (abstract) for remotely controlling an application from a user telecommunications device (col. 1, line 1 – col. 13, line 5; col. 47, lines 60-67) comprising:
- a. means for receiving a message from a user via a user device, the message corresponding to an application (col. 13, line 5 – col. 15, line 45);
 - b. means for identifying a session context between the application and the user device (col. 22, line 50 – col. 23, line 5), the session context based on an identity of the user device (col. 20, lines 35-45; col. 22, lines 20-50) and an identity of the application (col. 33, lines 30-40);
 - c. means for processing the message by the corresponding application according to the identified session context (col. 23, lines 35-65); and
 - d. means for mapping successive messages between the user device and the application by indexing the user device identity and application identity to preserve the session context by maintaining the order of messages between the user device and the application (col. 23, lines 35-65).

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELVIN H. POLLACK whose telephone number is (571)272-3887. The examiner can normally be reached on 8:00-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. H. P./
Examiner, Art Unit 2145
15 February 2008

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145